# Atty. Dkt. No. 046585/0138

Jed W. FAHEY, et al. Serial No. 09/825,989



#### IN THE CLAIMS:

In accordance with 37 C.F.R. § 1.121, please substitute for claim 53 the following rewritten version of the same claim, as amended. The changes are shown explicitly in the attached "Version with Markings to Show Changes Made".

53. (Amended) The method of claim 52, wherein said plant tissue is selected from the group consisting of cruciferous sprouts measured after 3 days of growth, cruciferous seeds, plants and plant parts.

### **REMARKS**

### Status of the Claims

By this amendment, claim 53 is amended. Upon entry of this Amendment, claims 48-71 will remain pending in the application.

## **Information Disclosures Statement**

The Examiner asserts that the IDS received August 22, 2002 has been considered. However, the Examiner assets that the IDS received October 22, 2002 has not been considered because the references have not been received. Applicants submitted copies of these references on October 22, 2003. However, for the convenience of the Examiner, provided herewith are additional copies of the references cited in the IDS received on October 22, 2002. A copy of A47 will be provided in the near future.

#### Claim Objections

Claim 53 is objected to by the Examiner because the claim contains an improper Markush group. Applicants have amended claim 53 by replacing "or" with --and--. Applicants respectfully request withdrawal of the rejection.